

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Heather Louse Wallen,

Petitioner,

v.

William Reubart, et. al,

Respondents.

Case No. 2:24-cv-00586-APG-DJA

Order Dismissing Case

[ECF No. 1]

Petitioner has filed an application to proceed *in forma pauperis* (IFP) and a habeas petition. ECF No. 1.

The matter has not been properly commenced because the IFP application does not include all required attachments. Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR1-2, a petitioner must attach both an inmate account statement for the past six months and a properly executed financial certificate. Petitioner has not complied with either requirement. The application is therefore incomplete.

The application for leave to proceed IFP will be denied, and the present action will be dismissed without prejudice to the filing of a **new** petition in a **new** action with an IFP application on the proper form with all required attachments.

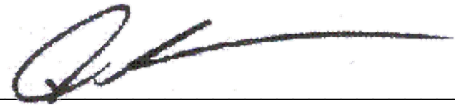
IT THEREFORE IS ORDERED that the application to proceed *in forma pauperis* (ECF No. 1) is DENIED and that this action shall be DISMISSED without prejudice to the filing of a **new** petition in a **new** action with a properly completed pauper application.

IT FURTHER IS ORDERED that a certificate of appealability is DENIED, as jurists of reason would not find the court's dismissal of this improperly commenced action without prejudice to be debatable or incorrect.

1 IT FURTHER IS ORDERED that the Clerk shall send petitioner two copies each of an
2 application form to proceed *in forma pauperis* for incarcerated persons and a noncapital Section
3 2254 habeas petition form, one copy of the instructions for each form, and a copy of the papers
4 that he submitted in this action.

5 IT IS FURTHER ORDERED that the Clerk shall enter judgment accordingly and close
6 this case.

7 Dated: April 4, 2024

A handwritten signature in black ink, appearing to read 'A. Gordon', is written over a horizontal line.

U.S. District Judge Andrew P. Gordon